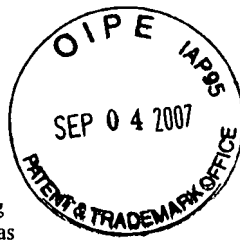


PATENT APPLICATION
Attorney Docket No. 040049



JFW

FIRST CLASS MAIL MAILING LABEL

I hereby certify that this correspondence is being deposited with the United States Postal Service as first class mail, postage prepaid, under 37 C.F.R. § 1.8 on the date indicated below and is addressed to:

Mail Stop Amendment
Commissioner for Patents
P.O. Box 1450
Alexandria, Virginia 22313-1450

8/30/07
Date
Jacqueline A. Huerfano
Buchanan Ingersoll & Rooney PC

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of:	:	Confirmation No. 4373
Paul D. Hanke	:	
	:	Art Unit: 1656
Appl. No.: 10/771,695	:	
	:	Examiner: Alexander D. Kim
Filed: February 4, 2004	:	Atty. Docket: 040049
Title (as amended): Polynucleotides Encoding a Truncated ORF2 From Corynebacterium		

RESPONSE TO NOTICE OF NON-COMPLIANT
AMENDMENT UNDER 37 CFR 1.121

Mail Stop Amendment
Commissioner for Patents
P.O. Box 1450
Alexandria, Virginia 22313-1450

Sir:

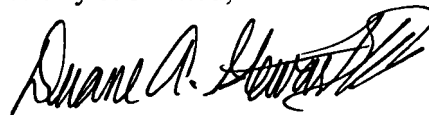
On August 22, 2007, the Office mailed a Notice of Non-Compliant Amendment stating that the amendments to the drawings in the amendment document filed on August 15, 2007 were non-compliant because they were not identified in the top margin as "Replacement Sheet" as required by 37 CFR 1.121(d).

Replacement Figures 24 and 25 are included herein. Each Figure is now properly identified in the top margin as "Replacement Sheet". Pursuant to the instructions of the Notice of Non-Compliant Amendment, the corrected section of the August 15, 2007 Response is the only section that is included herewith. The remainder of the amendment document filed on August 15, 2007 stands as filed.

No new matter is added with this Response and the Replacement Sheets have no changes from their August 15, 2007 versions other than the addition of the "Replacement Sheet" designation.

Entry of this amendment and of the amendment filed on August 15, 2007 is respectfully requested. If a telephone conference with the undersigned would be helpful to obtaining allowance of this Office Action, the Examiner is invited to contact me at the number below.

Respectfully submitted,



Dated: August 30, 2007

Duane A. Stewart III
Registration No. 54,468
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Pittsburgh, Pennsylvania 15219
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